

REMARKS

Independent claim 1 has been amended and dependent claim 6 has been canceled. Thus, claims 1, 4, 5, and 7 are pending in the present application.

Claim rejections 35 USC §102

The Examiner rejected claims 1, 4-7 under 35 U.S.C. 102(e) as being anticipated by Gertner. Applicant amended independent claim 1 to include further limitations to distinguish the present application from the cited prior art. According to the present invention a specifically designed hard drive unit is used to provide for the system support and the backup functionality. To this end, a physical hard drive unit is partitioned into logical drive units to provide for at least a main drive unit and a back-up drive unit. This limitation is disclosed on page 4, paragraph [0011] and on page 5, paragraph [0014] of the original specification. No new matter has been added.

Gertner discloses a completely different concept of a back-up system. According to Gertner, a separate tape or floppy disk drive is used to provide a backup functionality. Such an arrangement is rather cumbersome and does not provide the flexibility of the system as disclosed in the present application.

Claim rejections 35 USC §103

Dependent claims 4, 5, and 7 include all the limitations of the independent claim 1 and are therefore patentable at least to the extent of independent claim 1.

CONCLUSION

The application as defined in the pending claims is patentable under 35 U.S.C. §102 and §103 in view of the cited prior art. Therefore, applicants respectfully request withdrawal of the rejection and allowance of all pending claims.

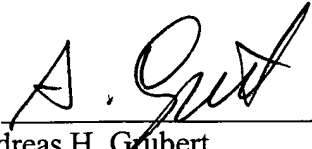
Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the

Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*) Order Number 071308.0263

Respectfully submitted,

BAKER BOTTS L.L.P.

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